



WEB COPY



W.P.No.27694 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.27694 of 2022

- 1.C.Pandiyan
- 2.P.Alphonse Amalraj
- 3.D.Nadarajan
- 4.J.Thavamani
- 5.B.Gopi

... Petitioners

Versus

1. The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
2, Pallavan Illam,
Anna Salai, Chennai-600 002

2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Pallavan Salai, Chennai-600 002

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying this Court to issue a writ of Mandamus directing the respondents to pay
interest @ 10% to the petitioners for the belated payment of Provident Fund,
Gratuity, Leave Salary and commutation of pension amount.

For Petitioners	: Mr.S.T.Varadarajalu
For Respondents	:Mr.R.Balaji
	for R.1
	Mr.C.S.K.Sathish
	Standing Counsel for R.2



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ORDER

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This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pay interest at 10% to the petitioners for the belated payment of Provident Fund, Gratuity, Leave Salary and Commutation of Pension amount.

2. The petitioners are seeking for payment of interest on account of the belated payment of the aforesaid amounts. The said payment were made belatedly, as seen from the tabular column in Paragraph No.5 of the affidavit, filed in support of this writ petition.

3. Heard Mr.S.T.Varadarajalu, learned counsel appearing for the petitioners and Mr.R.Balaji, learned counsel accepts notice on behalf of the first respondent and Mr.C.S.K.Sathish, learned Standing Counsel accepts notice on behalf of the second respondent. By consent of both the parties, the main writ petition has been taken up for final disposal.

4. Learned Standing Counsel appearing for the respondents/Transport Corporation, on instructions, would submit that the dates of payment mentioned in paragraph No.5 of the affidavit filed in support



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of the writ petition is correct. He would also admit, on instructions, that the payments were made belatedly. However, he would submit that for belated payments, the petitioners are entitled only for interest at 4% as per the settled law and not 10% as claimed in the writ petition.

5. Learned counsel for the petitioners, on instructions, would submit that the petitioners are agreeable to receive interest at 4% p.a for the belated payments from the respondents Transport Corporation. The said statement is recorded.

6. Learned Standing Counsel appearing for the respondents would submit that insofar as the Leave Salary is concerned, the respondents shall consider the petitioners request if a fresh representation is given by them.

7. After hearing the rival submissions, this writ petition is disposed of by directing the respondents to pay interest to the respective petitioners at 4% p.a for the belated payment of Provident Fund, Gratuity and Commutation of pension amount within a period of eight weeks from the date of receipt of a copy of this order.



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ABDUL QUDDHOSE, J

sr

8. Insofar as the request for payment of interest for the Leave Salary is concerned, the petitioners will have to give a fresh representation to the respondents/Transport Corporation within a period of one week from the date of receipt of a copy of this order and on receipt of the said representation, the respondents shall pass orders on merits and in accordance with law within a period of four weeks thereafter. No costs.

17.10.2022
2/2

sr

Index: Yes/No

Speaking Order/Non-Speaking Order

To

1. The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
2, Pallavan Illam,
Anna Salai, Chennai-600 002
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Pallavan Salai, Chennai-600 002

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